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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/910,756	07/24/2001	Ahsan I. Raja	1532.1001	2675

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STAAS & HALSEY LLP  
SUITE 700  
1201 NEW YORK AVENUE, N.W.  
WASHINGTON, DC 20005

EXAMINER
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NGUYEN, NGA B

ART UNIT	PAPER NUMBER
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3692

DATE MAILED: 10/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/910,756

Applicant(s)

RAJA, AHSAN I.

Examiner

Nga B. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on August 7, 2006 has been entered.
2. Claims 1-12 are pending in this application.

### ***Response to Arguments/Amendment***

3. Applicant's arguments with respect to claims 1-12 have been considered but are not persuasive.

In response to applicant's argument that Cohen (US 6,505,171) is limited to handling purchase transactions based on the user's record indicating identity of the user, examiner submits that the test for obviousness is not whether the features of a secondary reference may be bodily incorporated into the structure of the primary reference; nor is it that the claimed invention must be expressly suggested in any one or all of the references. Rather, the test is what the combined teachings of the references would have suggested to those of ordinary skill in the art. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981). In this case, the primary reference (Fite, US 6,467,648) discloses a pre-paid card having a monetary value without linking to identity of a specific user, thus the secondary reference does not need to satisfy this

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limitation. Fite does not explicitly teach using the pre-paid card for existing payment protocol, Cohen discloses using the pre-paid card for existing payment protocol (column 7, lines 9-20, the merchant host 41 prompts the customer to select one of several forms of payment, thus in Cohen the customer can pay for products using credit card or pre-paid card). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify Fite's to adopt the teaching of Cohen, for the purpose of providing more convenient for the purchaser, who cannot obtain credit card or debit card, still having a chance to purchase products he/she desired.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 2 and 8-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fite et al (hereinafter Fite), U.S. Patent No. 6,467,684, in view of Cohen, U.S. Patent No. 6,505,171.

Regarding to claim 1, Fite discloses an electronic transaction system, comprising:  
bearer bond means for providing an online electronic bearer bond having a monetary value without linking the online electronic bearer bond to identity of a specific user (figures 2-3; column 2, line 60-column 3, line 10, the cash card 20 having a

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monetary value and an associated unique identity number; column 1, lines 52-67, the system allows the purchaser to execute electronic transactions by providing the identity number of the cash card, the identity number is then compared to the identity number stored in the host database to validate the purchase, thus the system allows the purchaser to execute electronic transactions using the cash card and without linking the cash card to identity of a specific purchaser);

transaction means for performing monetary transactions with said bearer bond means (column 4, lines 44-50, the merchant website allows the purchaser to purchase goods or services using the cash card); and

network means for providing user access to said bearer bond means and said transaction means (column 4, lines 1-5, 39-43, the customer can purchase virtual cash card over the network; the customer having the computer connected to the Internet and will browse the merchant websites to purchase goods or services).

Fite does not disclose applying bearer bond means as a payment using existing payment protocols. However, Cohen discloses applying bearer bond means as a payment using existing payment protocols (column 7, lines 9-20, the merchant host 41 prompts the customer to select one of several forms of payment, thus in Cohen the customer can pay for products using credit card or pre-paid card). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify Fite's to adopt the teaching of Cohen above, for the purpose of providing more convenient for the purchaser, who cannot obtain credit card or debit card, still having a chance to purchase products he/she desired.

Regarding to claim 2, Fite discloses an electronic apparatus adapted for exchanging currency over a network comprising:

an electronic document used for performing transactions, the electronic document being provided without linking the electronic document to identity of a specific user and said transactions containing data information associated with said electronic document (figures 2-3; column 2, line 60-column 3, line 10, the cash card 20 having a monetary value and an associated unique identity number; column 1, lines 52-67, the system allows the purchaser to execute electronic transactions by providing the identity number of the cash card, the identity number is then compared to the identity number stored in the host database to validate the purchase, thus the system allows the purchaser to execute electronic transactions using the cash card and without linking the cash card to identity of a specific purchaser); and

a database processing and storing said data information to perform said transactions over said network (column 2, lines 10-37, the host computer having a database for storing the identity numbers of the cash cards, the host computer compares the identity numbers submitted by the purchasers with the identity numbers stored in the database to validate the purchase).

Fite does not disclose applying bearer bond means as a payment using existing payment protocols. However, Cohen discloses applying bearer bond means as a payment using existing payment protocols (column 7, lines 9-20, the merchant host 41 prompts the customer to select one of several forms of payment, thus in Cohen the customer can pay for products using credit card or pre-paid card). Therefore, it would

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have been obvious to one with ordinary skill in the art at the time the invention was made to modify Fite's to adopt the teaching of Cohen above, for the purpose of providing more convenient for the purchaser, who cannot obtain credit card or debit card, still having a chance to purchase products he/she desired.

Regarding to claim 8, Fite discloses an electronic transaction system, comprising:

an electronic online bearer bond having a monetary value, the electronic online bearer bon being provided without being linked to identity of a specific user (figures 2-3; column 2, line 60-column 3, line 10, the cash card 20 having a monetary value and an associated unique identity number; column 1, lines 52-67, the system allows the purchaser to execute electronic transactions by providing the identity number of the cash card, the identity number is then compared to the identity number stored in the host database to validate the purchase, thus the system allows the purchaser to execute electronic transactions using the cash card and without linking the cash card to identity of a specific purchaser) ;

a database for performing monetary transactions with said electronic online bearer bond (column 2, lines 10-37, the host computer having a database for storing the identity numbers of the cash cards, the host computer compares the identity numbers submitted by the purchasers with the identity numbers stored in the database to validate the purchase);

a network for providing user access to said electronic online bearer bond and said and database (column 4, lines 1-5, 39-43, the customer can purchase virtual cash card

over the network; the customer having the computer connected to the Internet and will browse the merchant websites to purchase goods or services).

Fite does not disclose applying bearer bond means as a payment using existing payment protocols. However, Cohen discloses applying bearer bond means as a payment using existing payment protocols (column 7, lines 9-20, the merchant host 41 prompts the customer to select one of several forms of payment, thus in Cohen the customer can pay for products using credit card or pre-paid card). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify Fite's to adopt the teaching of Cohen above, for the purpose of providing more convenient for the purchaser, who cannot obtain credit card or debit card, still having a chance to purchase products he/she desired.

Regarding to claim 9, Fite discloses a method of executing an electronic transaction via an electronic transaction system using an interactive electronic bearer document, comprising:

issuing the interactive electronic bearer document that has monetary value and assigning verification information to the issued interactive electronic bearer document without linking the verification information to identity of a specific user (figures 2-3; column 2, line 60-column 3, line 10, the cash card 20 having a monetary value and an associated unique identity number; column 1, lines 52-67, the system allows the purchaser to execute electronic transactions by providing the identity number of the cash card, the identity number is then compared to the identity number stored in the host database to validate the purchase, thus the system allows the purchaser to



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execute electronic transactions using the cash card and without linking the cash card to identity of a specific purchaser); and

executing the electronic transaction using the issued interactive electronic bearer document as a form of payment upon presentation of the assigned verification information (column 2, lines 10-37, the host computer having a database for storing the identity numbers of the cash cards, the host computer compares the identity numbers submitted by the purchasers with the identity numbers stored in the database to validate the purchase).

Fite does not disclose applying bearer bond means as a payment using existing payment protocols. However, Cohen discloses applying bearer bond means as a payment using existing payment protocols (column 7, lines 9-20, the merchant host 41 prompts the customer to select one of several forms of payment, thus in Cohen the customer can pay for products using credit card or pre-paid card). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify Fite's to adopt the teaching of Cohen above, for the purpose of providing more convenient for the purchaser, who cannot obtain credit card or debit card, still having a chance to purchase products he/she desired.

Regarding to claim 10, Fite discloses a method of executing an electronic transaction via an electronic transaction system suing an interactive electronic bearer document, comprising:

executing the electronic transaction using the interactive electronic bearer document as a form of payment, where the interactive electronic bearer document is

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enabled to be accessible by any user to be used as the form of payment of the electronic transaction (figures 2-3; column 2, line 60-column 3, line 30, the cash card 20 having a monetary value and an associated unique identity number, any customer can purchase the cash card at the vendor terminal; column 1, lines 52-67, the system allows the purchaser to execute electronic transactions by providing the identity number of the cash card, the identity number is then compared to the identity number stored in the host database to validate the purchase, thus the system validates the purchase based on the identity number of the card, not the customer's identity, therefore, the cash card is enabled to be accessible by any customer).

Fite does not disclose applying bearer bond means as a payment using existing payment protocols. However, Cohen discloses applying bearer bond means as a payment using existing payment protocols (column 7, lines 9-20, the merchant host 41 prompts the customer to select one of several forms of payment, thus in Cohen the customer can pay for products using credit card or pre-paid card). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify Fite's to adopt the teaching of Cohen above, for the purpose of providing more convenient for the purchaser, who cannot obtain credit card or debit card, still having a chance to purchase products he/she desired.

Regarding to claim 11, Fite discloses a method of creating a universally accepted form of payment for an electronic transaction, comprising:

receiving an electronic document having a first form of payment for the electronic

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transaction from a user, the electronic document being non-specific to identity of the user (figures 2-3; column 2, line 60-column 3, line 10, the cash card 20 having a monetary value and an associated unique identity number; column 1, lines 52-67, the system allows the purchaser to execute electronic transactions by providing the identity number of the cash card, the identity number is then compared to the identity number stored in the host database to validate the purchase, thus the system allows the purchaser to execute electronic transactions using the cash card and without linking the cash card to identity of a specific purchaser).

Fite does not disclose converting value of the first form of payment into a universally accepted form of payment for use with a merchant system having a second form of payment in current use to execute the electronic transaction. However, Cohen discloses applying bearer bond means as a payment using existing payment protocols (column 7, lines 9-20, the merchant host 41 prompts the customer to select one of several forms of payment, thus in Cohen the customer can pay for products using credit card or pre-paid card). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify Fite's to adopt the teaching of Cohen above, for the purpose of providing more convenient for the purchaser, who cannot obtain credit card or debit card, still having a chance to purchase products he/she desired.

Regarding to claim 12, Fites discloses a method of creating a universally accepted form of payment, comprising:

transmitting an electronic document having a set of pre-defined protocols as a form of payment for an electronic transaction, said document being transmitted without indicating identity of a user (figures 2-3; column 2, line 60-column 3, line 10, the cash card 20 having a monetary value and an associated unique identity number; column 1, lines 52-67, the system allows the purchaser to execute electronic transactions by providing the identity number of the cash card, the identity number is then compared to the identity number stored in the host database to validate the purchase, thus the system allows the purchaser to execute electronic transactions using the cash card and without linking the cash card to identity of a specific purchaser); and

enabling a merchant employing a payment protocol to accept the electronic document as the form of payment for the electronic transaction (column 2, lines 10-37, the host computer having a database for storing the identity numbers of the cash cards, the host computer compares the identity numbers submitted by the purchasers with the identity numbers stored in the database to validate the purchase).

Fite does not disclose the payment protocol including credit cards. However, Cohen discloses applying bearer bond means as a payment using existing payment protocols (column 7, lines 9-20, the merchant host 41 prompts the customer to select one of several forms of payment, thus in Cohen the customer can pay for products using credit card or pre-paid card). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify Fite's to adopt the teaching of Cohen, for the purpose of providing more convenient for the purchaser, who

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cannot obtain credit card or debit card, still having a chance to purchase products he/she desired.

6. Claims 3-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boesch et al (hereinafter Boesch), U.S. Patent No. 5,897,621, in view Fite et al (hereinafter Fite), U.S. Patent No. 6,467,684, and further in view of Cohen, U.S. Patent No. 6,505,171.

Regarding to claim 3, Boesch discloses a method for creating a universally accepted form of payment using an electronic transaction system, comprising:

selecting an item costing a first value in a first currency (column 7, lines 7-18, the customer pays an amount to the merchant for a selected product using the customer selected currency that is different than the merchant accepted currency);

converting the first value in the first currency into a second value in a second currency (column 8, lines 25-38, the customer selected currency is converted into the merchant accepted currency); and

executing an electronic transaction by using the second value of the second currency as payment for the item (column 8, lines 40-48 and column 14, lines 50-63, the merchant will receive the price in the merchant selected currency).

Boesch does not disclose executing the electronic transaction without linking identity of parties to execute the electronic transaction. However, Fite discloses executing the electronic transaction without linking identity of parties to execute the electronic transaction (figures 2-3; column 2, line 60-column 3, line 10, the cash card 20 having a monetary value and an associated unique identity number; column 1, lines 52-

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67, the system allows the purchaser to execute electronic transactions by providing the identity number of the cash card, the identity number is then compared to the identity number stored in the host database to validate the purchase, thus the system allows the purchaser to execute electronic transactions using the cash card and without linking the cash card to identity of a specific purchaser). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify the system of Boesch to adopt the teaching of Fite for the purpose of enhancing the security because purchasing over the Internet using the cash card in Fite does not require the customer transmits any information related to the customer.

Boesch and Fite do not disclose applying bearer bond means as a payment using existing payment protocols. However, Cohen discloses applying bearer bond means as a payment using existing payment protocols (column 7, lines 9-20, the merchant host 41 prompts the customer to select one of several forms of payment, thus in Cohen the customer can pay for products using credit card or pre-paid card). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify Boesch's modified by Fite's to adopt the teaching of Cohen above, for the purpose of providing more convenient for the purchaser, who cannot obtain credit card or debit card, still having a chance to purchase products he/she desired.

Regarding to claims 4-6, Boesch discloses wherein a credit card is not used as payment for the item, a bank account is not used as payment for the item, an electronic bearer document is used as payment for the item (column 1, lines 5-15, the electronic cash is used as payment for the item).

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Regarding to claim 7, Boesch discloses wherein the first and second currencies are hard currencies (column 4, lines 33-45, e.g. U.S. dollars, French francs).

***Conclusion***

7. Claims 1-12 are rejected.
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Nga B. Nguyen whose telephone number is (571) 272-6796. The examiner can normally be reached on Monday-Thursday from 9:00AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S. Sough can be reached on (571) 272-6799.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-3600.

9. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks  
C/o Technology Center 3600  
Washington, DC 20231

Or faxed to:

(703) 872-9306 (for formal communication intended for entry),

or

(571) 273-0325 (for informal or draft communication, please label

"PROPOSED" or "DRAFT").

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Hand-delivered responses should be brought to Knox building, 501 Dulany  
Street, Alexandria, VA, First Floor (Receptionist).

A handwritten signature in cursive script that reads "Nga Nguyen".

NGA NGUYEN  
PRIMARY EXAMINER

August 15, 2006